



GOVERNOR'S OFFICE OF
BUDGET AND PROGRAM PLANNING

Fiscal Note 2011 Biennium

Bill #	SB0237	Title:	Primary seatbelt enforcement for motor vehicle occupants
Primary Sponsor:	Lewis, Dave	Status:	As Introduced

- | | | |
|---|--|--|
| <input type="checkbox"/> Significant Local Gov Impact | <input checked="" type="checkbox"/> Needs to be included in HB 2 | <input type="checkbox"/> Technical Concerns |
| <input type="checkbox"/> Included in the Executive Budget | <input type="checkbox"/> Significant Long-Term Impacts | <input type="checkbox"/> Dedicated Revenue Form Attached |

FISCAL SUMMARY

	<u>FY 2009 Difference</u>	<u>FY 2010 Difference</u>	<u>FY 2011 Difference</u>	<u>FY 2012 Difference</u>	<u>FY 2013 Difference</u>
Expenditures:					
General Fund	\$0	\$0	\$0	\$0	\$0
Federal Special Revenue	\$0	\$5,987,483	\$0	\$0	\$0
Revenue:					
General Fund	\$1,700	\$6,800	\$6,800	\$6,800	\$6,800
Federal Special Revenue	\$0	\$5,987,483	\$0	\$0	\$0
Net Impact-General Fund Balance	<u>\$1,700</u>	<u>\$6,800</u>	<u>\$6,800</u>	<u>\$6,800</u>	<u>\$6,800</u>

Description of fiscal impact:

An increase in citations written due to SB 237 would result in a positive impact to the state general fund.

Montana will receive up to nearly \$6 million in one-time-only federal Section 406 incentive grant monies if it passes a primary seatbelt law that complies with federal requirements that must go toward traffic safety related behavioral programs and may go toward road infrastructure safety programs or projects that improve hazardous roads.

FISCAL ANALYSIS

Assumptions:

Department of Justice

1. In 2008, the Montana Highway Patrol (MHP) issued 13,726 citations for failing to wear a seat belt.
2. Presently, MHP estimates that seat belt usage in Montana is approximately 80%. The National Highway Traffic Safety Administration estimates that voluntary seat belt usage in Montana would increase approximately 8% based on passage of SB 237. However, the MHP estimates that with the passage of this bill, the number of seat belt violation citations would increase 5% (or 680 additional citations) because the

proposed legislation would change the seatbelt violation status to a primary driving offense - allowing the violator to be stopped and ticketed based only upon a seat belt violation.

- The bond for this citation is currently \$20.00. Fifty percent of the bond for these violations is distributed to the state general fund and fifty percent is distributed to the county in which the citation is issued.
- The MHP anticipates an increase in revenue of approximately \$6,800 [680 citations * \$20.00 * 0.50 = \$6,800] each fiscal year through the 2013 biennium. Because SB 237 is effective upon passage and approval, the revenue increase in FY 2009 is estimated to be \$1,700 [\$6,800 * .25 year = \$1,700].

Department of Transportation

- The proposed bill will retain the specific language necessary to qualify for federal Section 406 funds.
- To qualify for regular Section 406 funds, the law must be enacted by June 30, 2009 and enforced by September 30, 2009.
- Montana will receive \$4,854,709 in federal Section 406 incentive grant monies if it passes a primary seatbelt law that complies with federal requirements. These funds must go toward traffic safety related behavioral programs and may go toward road infrastructure safety programs or projects that improve hazardous roads. This would be a one-time grant.
- To be eligible for Section 406 “powerball” funds (up to \$1,132,774), Montana’s law must be signed and enforced by June 30, 2009. If Montana is the only state to enact and enforce a primary seatbelt law in 2009, Montana will receive the maximum amount of \$1,132,774.

	<u>FY 2009 Difference</u>	<u>FY 2010 Difference</u>	<u>FY 2011 Difference</u>	<u>FY 2012 Difference</u>	<u>FY 2013 Difference</u>
<u>Fiscal Impact:</u>					
Department of Transportation					
<u>Expenditures:</u>					
Operating Expenses	\$0	\$0	\$0	\$0	\$0
Grants	\$0	\$5,987,483	\$0	\$0	\$0
<u>Funding of Expenditures:</u>					
General Fund (01)	\$0	\$0	\$0	\$0	\$0
Federal Special Revenue (03)	\$0	\$5,987,483	\$0	\$0	\$0
TOTAL Funding of Exp.	<u>\$0</u>	<u>\$5,987,483</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

Department of Justice

<u>Revenues:</u>					
General Fund (01)	\$1,700	\$6,800	\$6,800	\$6,800	\$6,800
Federal Special Revenue (03)	\$0	\$5,987,483	\$0	\$0	\$0
TOTAL Revenues	<u>\$1,700</u>	<u>\$5,994,283</u>	<u>\$6,800</u>	<u>\$6,800</u>	<u>\$6,800</u>

Net Impact to Fund Balance (Revenue minus Funding of Expenditures):

General Fund (01)	\$1,700	\$6,800	\$6,800	\$6,800	\$6,800
Federal Special Revenue (03)	\$0	\$0	\$0	\$0	\$0

Effect on County or Other Local Revenues or Expenditures:

- Citation revenues across the 56 counties are anticipated to increase in a similar fashion.

 Sponsor's Initials

 Date

 Budget Director's Initials

 Date